



2026:AHC:128514

HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 19857 of 2026

Ketki

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Mahesh Kumar
Counsel for Opposite Party(s)	:	G.A.

Court No. - 71

HON'BLE VIVEK KUMAR SINGH, J.

1. Heard learned counsel for the applicant and the learned A.G.A. for the State of U.P.
2. The instant bail application has been filed seeking release of the applicant on bail in Case Crime No.412 of 2025, under Section 85, 80(2) BNS and Section 3/4 D.P.Act, Police Station Kokhraj, District Kaushambi.
3. Learned counsel for the applicant submits that the applicant is the mother-in-law of the deceased and only general and omnibus allegations have been levelled against the applicant and her family members; cause of death of the deceased was unascertained, therefore, viscera was preserved; there is no viscera report on record. It is further contended that statement of doctor, Om Prakash Sharma, was recorded during course of investigation; autopsy report was prepared by the said doctor. He stated that it appears that deceased died due to illness; no external injury was noticed on the body of the deceased in her post mortem report. It is further contended that the marriage between the deceased and her husband was a love marriage and no dowry was ever demanded or accepted by the applicant or her other family members. The marriage was solemnized against wishes of their family members. The deceased was never subjected to cruelty, harassment on account of demand of dowry. There is no criminal history of the applicant. Learned counsel for applicant further submits that applicant has been languishing in jail since 14.05.2026 and in case, she is released on bail, he will not misuse the liberty of bail and will cooperate in trial.

4. Per contra, learned A.G.A. has opposed the prayer for grant of bail to the applicant and submitted that there is ample evidence against the applicant regarding her involvement in the offence, therefore, she is not entitled to be released on bail.

5. Having considered the rival submissions advanced by learned counsel for the parties, the nature of accusations, the evidence brought on record, the period of incarceration undergone by the applicant, the absence of any criminal antecedents and without expressing any opinion on the merits of the case, this Court finds that the applicant has made out a case for grant of bail.

6. Accordingly, the bail application is **allowed**.

7. Let the applicant- **Ketki**, who is involved in the aforementioned case crime be released on bail on her furnishing a personal bond and two sureties each in the like amount to the satisfaction of the court concerned subject to following conditions. Further, before issuing the release order, the sureties be verified.

(i) The applicant shall file an undertaking to the effect that she shall not seek any adjournment on the date fixed for evidence when the witnesses are present in Court. In case of default of this condition, it shall be open for the Trial Court to treat it as abuse of liberty of bail and pass orders in accordance with law.

(ii) The applicant shall remain present before the Trial Court on each date fixed, either personally or through her counsel. In case of her absence, without sufficient cause, the Trial Court may proceed against her under Section 229-A IPC/ 269 B.N.S.

(iii) In case, the applicant misuses the liberty of bail during trial and in order to secure his presence proclamation under Section 82 Cr.P.C./ 84 B.N.S.S., may be issued and if applicant fails to appear before the Court on the date fixed in such proclamation, then, the Trial Court shall initiate proceedings against her, in accordance with law, under Section 174-A IPC/ 209 B.N.S.

(iv) The applicant shall remain present, in person, before the Trial Court on dates fixed for (1) opening of the case, (2) framing of charge and (3) recording of statement under Section 313 Cr.P.C./ 351 of B.N.S.S. If in the

opinion of the Trial Court absence of the applicant is deliberate or without sufficient cause, then it shall be open for the Trial Court to treat such default as abuse of liberty of bail and proceed against her in accordance with law.

8. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail.

9. It is made clear that observations made in granting bail to the applicant shall not in any way affect the learned trial Judge in forming her independent opinion based on the testimony of the witnesses.

(Vivek Kumar Singh,J.)

June 22, 2026

Nitendra